

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

JOSEPH CARSON,

Petitioner,

v.

D. BAROMETRE, SUPERINTENDENT  
OF OTISVILLE CORRECTIONAL  
FACILITY,<sup>1</sup>

Respondent.

**APPLICATION  
REQUESTING  
DISTRICT COURT  
DISQUALIFICATION**

23 Civ. 6776 (KMK)(JCM)

STATE OF NEW YORK     )  
                                  ) S.S.:  
COUNTY OF ORANGE     )

**MEMO ENDORSED**

**JOSEPH CARSON, PRO SE PETITIONER.**

**TO THE HONORABLE KENNETH M. KARAS, UNITED STATES DISTRICT JUDGE:**

I am kindly requesting this District Court to disqualify itself from rendering a determination in this matter, pursuant to 28 U.S.C. § 455(a). This request is being made because there is a possibility that the impartiality of this Court might reasonably be questioned.

In 2019, this Court rendered a decision in favor of the police officers who arrested me in this matter. See, *Wheeler v. Slanovec*, 2019 WL 2994193 (S.D.N.Y. 2019). Further, in *Wheeler*, my appellate counsel, Alex J. Smith, represented the police officers who arrested me.

Because of this Court's familiarity with the police officers that arrested me, it is possible that this Court may not be impartial when rendering a decision concerning my freedom.

I humbly request that this Court disqualify itself from this case, or review and render a decision with impartiality.

AFFIDAVIT OF SERVICE

STATE OF NEW YORK )  
COUNTY OF ORANGE )SS:

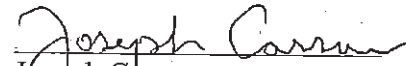
I, Joseph Carson, being duly sworn, deposes and says that on the 12<sup>th</sup> day of February, 2025, I served the following papers:

Application requesting District Court Disqualification. 23 CV 06776 (KMK)  
28 U.S.C. § 455(a)

by sealing them in a properly addressed postage-prepaid envelope and placing it in the mail box, for depositing it in a mailbox for forwarding, via U.S. Postal Service, to those listed below:

Hon. Kenneth M. Karas  
U.S. District Court, S.D.N.Y.  
300 Quarropas St.  
White Plains, NY 10601

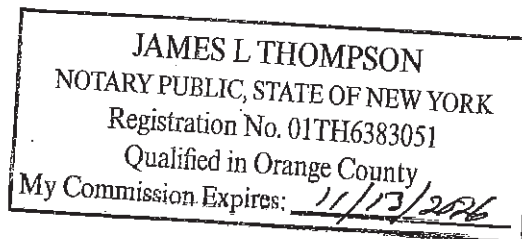
Respectfully submitted,

  
Joseph Carson

Sworn to before me on this

12<sup>th</sup> day of February 2025

  
NOTARY PUBLIC



Pursuant to the Court's order issued on February 10, 2025, Plaintiffs' Motion is denied. The Court respectfully requests the Clerk of Court mail a copy of this order and the previous order (Dkt. No. 34) to Plaintiff. SO ORDERED.



2/24/2025

I thank this Court for considering this letter.

I declare under the penalty of perjury that the foregoing is true and correct. See, 28 U.S.C. § 1746; 18 U.S.C. § 1621.

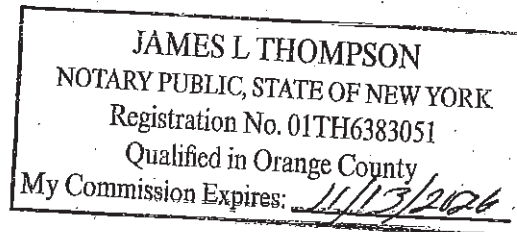
Respectfully submitted,

Joseph Carson  
Mr. Joseph Carson, *Pro se*

Sworn to before me on this

12<sup>th</sup> day of February 2025

James L Thompson  
NOTARY PUBLIC



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<sup>1</sup> The Petitioner is now at the Otisville Correctional Facility, where D. Barometre is the Superintendent. The Petitioner is no longer under the custody of T. McGuinness, who is the superintendent at the Shawangunk Correctional Facility. Therefore, D. Barometre should be substituted as Respondent pursuant to FRCP Rule 25(d).

OTISVILLE CORRECTIONAL FACILITY  
P.O. BOX 8  
OTISVILLE, NEW YORK 10963

NAME: JOSEPH CARSON DIN: 21A1524

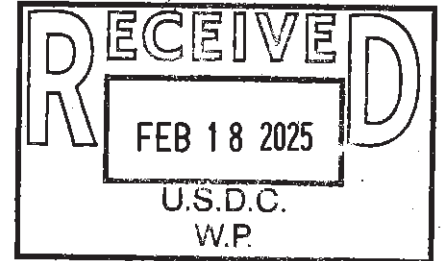
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Correctional Facility  
clerk



ZIP 10963  
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**MSD**



PRO SE OFFICE  
U.S. DISTRICT COURT S.D.N.Y.  
FEDERAL BUILDING AND UNITED  
STATES COURTHOUSE

300 QUARROAS STREET  
WHITE PLAINS, NY 10601

LEGAL MAIL